

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION III
1650 Arch Street
Philadelphia, Pennsylvania 19103-2029

SUBJECT: Chico Enterprises, Inc., 331 Beechurst Avenue,
Morgantown, West Virginia 26505 owner of Dairy Mart
No. 4, 3312 University Avenue, Morgantown, West
Virginia 26505 and Dairy Mart No. 6, 1205 Dorsey
Avenue, Morgantown, West Virginia 26505.

11/29/04

FROM: David L. Toth, Environmental Engineer *David L. Toth*

TO: Memo to the File

THRU: Marie Owens, jr, UST Team Leader
Carol Amend, Chief, 3WC31 *CA*

11/30/04
The findings of the initial case review for Chico Enterprises, Inc., owner of Dairy Mart No. 4 and Dairy Mart No. 6 was that the Facilities failed to have line leak detector s tested annually. EPA issued a Notice of Violation ("NOV") July 30, 2004. Chico Enterprises, Inc. responded to the NOV on September 2, 2004 by providing copies of the line leak detector test records dated 7/12/04, 7/13/04, and 7/21/04 indicating that all the line leak detectors passed.

RECOMMENDATION: It is recommended that this case be **CLOSED**.

